

FILED
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AO 440 (Rev. 8/01) Summons in a Civil Action

2005 MAR 24 P 1:20

UNITED STATES DISTRICT COURT

District of

S. DISTRICT COURT
DISTRICT OF MASS

CHURCH BROTHERS, LLC, a California Limited
Liability Company,

SUMMONS IN A CIVIL ACTION

V.

THE ALPHAS COMPANY, INC., a corporation;
THE ALPHAS COMPANY OF NEW YORK, INC.,
a corporation; JOHN (YANNI) S. ALPHAS, an
individual; PETER S. ALPHAS, an individual

CASE NUMBER: 05-10452-REK

TO: (Name and address of Defendant)

JOHN (YANNI) S. ALPHAS
The Alphas Company, Inc.
51-52 & 87-88 New England Produce Center
Chelsea, MA 02150

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Valerie Carter, Esq.
CARTER & DOYLE, LLP
530 Atlantic Avenue, Third Floor
Russia Wharf West
Boston, MA 02210
Tel: (617) 348-0525
Fax: (617) 348-0989

R. Jason Read, Esq.
Bart M. Botta, Esq.
RYNN & JANOWSKY, LLP
4100 Newport Place Drive, Suite 700
Newport Beach, CA 92660
Tel: (949) 752-2911
Fax: (949) 752-0953

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SARAH A. THORNTON

MAR 10 2005

CLERK

DATE

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)

DATE

March 11, 2005

NAME OF
SERVER

JOHN MILANO

TITLE

Process Server / A Disinterested Person

Check one box below to indicate appropriate method of service



Served personally upon the defendant. Place where served:

51-52 & 87-88 New England Produce Center, Chelsea

, MASSACHUSETTS



Left copies thereof at the defendant's dwelling or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left:

Said service was made at:

, MASSACHUSETTS



Other: By handing true and attested copies thereof to

Duly Authorized Agent for the within-named

Said service was made at:

, MASSACHUSETTS

STATEMENT OF SERVICE FEES

SERVICE FEE \$ 10.00 Trips

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

March 11, 2005

Date

Signature of Server

One Devonshire Place, Boston, Massachusetts

Address of Server

ADDITIONAL INFORMATION

PLEASE NOTE THAT IT WAS NECESSARY TO MAKE _____ ATTEMPTS BEFORE MAKING PROPER SERVICE.

Date

Time

Remarks

FEE

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

TOTAL

\$ _____

ALSO SERVED:

Civil Action Cover Sheet;

Complaint for Violations of the Perishable Agricultural Commodities Act

("PACA") 7 U.S.C. §499e, et seq.;

Plaintiff's Ex Parte Application for Temporary Restraining Order or,

Alternatively, for Preliminary Injunction; Declaration of R. Jason Read in

Support Thereof;

Memorandum of Points and Authorities in Support of Plaintiff's Ex Parte

Application for Temporary Restraining Order;

Declaration of Neil J. Milburn in Support of Plaintiff's Ex Parte

Application for Temporary Restraining Order; and

Declaration of Gina Tegenkamp in Support of Plaintiff's Ex Parte

Application for Temporary Restraining Order.

Order

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.